

EXHIBIT

"A-1"

CAUSE NO.

C12-21683CV

CITY OF CORSICANA, NAVARRO
COUNTY AND NAVARRO COLLEGE

V.

HOME DEPOT USA, INC.

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IN THE DISTRICT COURT

13TH JUDICIAL DISTRICT
OR COUNTY COURT AT LAW FOR

NAVARRO COUNTY, TEXAS

ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW the City of Corsicana ("the City"), Navarro County, Texas, in all its relevant capacities ("the County") and Navarro College ("the College") and make this their Original Petition complaining of Home Depot USA, Inc. and for same show as follows:

FILED
2012 OCT 17 PM 2:22
JOSHUA B. JACKETT
DISTRICT CLERK
NAVARRO COUNTY, TEXAS

I.

The City of Corsicana is a Home Rule City located entirely within Navarro County, Texas. Navarro County is a Texas County created pursuant to Article IX, Section 1 of the Texas Constitution. Navarro College is a Junior College formed under the laws of the State of Texas.

Home Depot USA, Inc. is a Delaware corporation licenced to do business in the State of Texas and can be served by serving its registered agent Corporation Service Company at 211 East Seventh Street, Suite 620, Austin, Texas 78701-3218.

II.

JURISDICTION AND VENUE

This Court has jurisdiction over this matter because the amount in controversy exceeds the minimum jurisdictional limits of the District Court and the County Court at Law for Navarro County. Venue is proper in Navarro County because the agreements which are the basis of this action were

ORIGINAL PETITION

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signed and performed in Navarro County and they pertain to matters and activities such as tax abatements on real and personal property which were located solely within the Navarro County.

III. DISCOVERY

The City, the County and the College request that Discovery proceed pursuant to a scheduling order under Rule 190.4 of the Texas Rules of Civil Procedure.

IV. FACTS AND CAUSES OF ACTION

The City, the County and the College entered into tax abatement agreements with Home Depot which provided certain tax abatements conditioned upon Home Depot's fulfilling certain conditions, all as set forth in the agreements. The agreements all provided that if Home Depot defaulted and failed to meet those conditions "all taxes which otherwise would have been paid to the [City/County/College] without the benefit of the abatement" would be become due, owing and payable to the City, the County and the College, respectively. Home Depot enjoyed substantial tax abatements beginning in the 2007 tax year and continuing up through 2011 tax year. Beginning in or before August of 2012, Home Depot failed to fulfill the conditions of the abatement agreements, thereby placing it in default. Thus, according to the agreements, all amounts previously abated are due and owing to the City, the County and the College. The total amount of the taxes which would have otherwise been paid to the City, the County and the College without the benefit of the abatement is approximately \$1,300,000.00, exclusive of interest and attorneys' fees.

Because of Home Depot's failure to meet the conditions of the abatement, the City, the County and the College seek to recover from Home Depot all taxes which would have been paid to them without the benefit of the abatement.

In addition, the City, the County and the College seek their attorney's fees pursuant to Chapter 38 of the Texas Civil Practice and Remedies Code, plus pre-judgment interest and costs of Court.

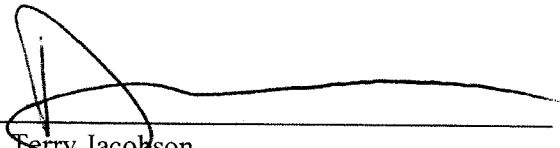
WHEREFORE, PREMISES CONSIDERED, the City of Corsicana, Navarro County and Navarro College pray that Home Depot be cited to appear and answer herein, and that upon trial hereof, that the City, County and College recover all amounts due and owing to them, plus interest and attorney's fees as provided by law. The City, County and College pray for such other and further relief to which they may show themselves justly entitled.

Respectfully submitted,

JACOBSON LAW FIRM, P.C.

733 W. 2nd Ave.
Corsicana, Texas 75110
(903) 874-7117
Fax: (903) 874-7321

By: _____


Perry Jacobson
State Bar No. 10528000

CITATION - personal service

STATE OF TEXAS

Cause No. **C12-21683-CV**

CITY OF CORSICANA, NAVARRO
COUNTY AND NAVARRO COLLEGE VS
HOME DEPOT USA, INC.

COUNTY COURT AT LAW
NAVARRO COUNTY, TEXAS

TO: HOME DEPOT USA, INC

BY SERVING REGISTERED AGENT- CORPORTATION SERVICE COMPANY
211 EAST SEVENTH STREET, SUITE 620, AUSTIN, TEXAS 78701-3218

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 am on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to the Plaintiff's ORIGINAL PETITION at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable County Court at Law at Navarro County, at the Courthouse in said County in Corsicana, Texas. Said Plaintiff's Petition was filed in said court on October 17, 2012 in the above entitled cause.

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's Petition accompanying this citation and made a part hereof.

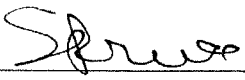
Issued and given under my hand and seal of said Court at Corsicana Texas this 17th day of October, 2012.

Attorney for Plaintiff
TERRY JACOBSON
JACOBSON LAW FIRM, P.C.
733 W. 2ND AVE.
CORSICANA, TEXAS 75110

Clerk of the Court
JOSHUA B. TACKETT
300 W. 3RD, STE. 201
CORSICANA, TX 75110

Navarro County, Texas

Plaintiff Name:
CITY OF CORSICANA
NAVARRO COUNTY
NAVARRO COLLEGE

By , Deputy